

Section 4.2

Developing a Model Hearing Process Brochure

Questions posed at the Roundtable

This document provides guidance on the following questions posed at the Hearing Officer Roundtable:

- Is there a moral or ethical obligation to provide the Respondent with a hearing process outline?
 - Should the Respondent be notified that anything placed into evidence will not be returned until the matter is closed?
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Purpose of outlines, brochures, etc.

Hearing process outlines, brochures or other handouts have been developed by several counties. The purpose of these documents is to inform Respondents about due process hearings and to assist them in preparing for the hearing if they wish to have an opportunity to be heard. There is no requirement to provide a hearing process assistance document to Respondents, however, it is a practice that can promote good will, fairness, and ensure an orderly proceeding. It may also ensure a clear and complete record in support of the ruling.

Preparing for Your Administrative Hearing – model brochure developed

Several administrative process outlines or brochures were provided to the facilitator of the Administrative Hearing Issues Roundtable discussions. The Department of Pesticide Regulation (DPR) evaluated each of the submitted documents and developed a model brochure, entitled, Preparing for Your Administrative Hearing. The brochure will meet the needs of most counties; however there are a few blank spaces on it to accommodate a county logo or seal, contact information or minor modifications.

Preparing for Your Administrative Hearing has been assigned form number PR-ENF-086. The brochure has been assigned a form number to make copies available to counties through the routine forms requisition process.

Electronic version of DPR's brochure

If desired, counties preferring to develop their own brochure may make a written for a copy of the electronic version of Preparing for Your Administrative Hearing through their Regional Office. The Regional Office will forward the request to the Chief of the Enforcement Branch. The electronic version can then be modified by the county and published at the county's expense. This brochure is available in Microsoft Word software.
